

Exhibit 1

IN THE DISTRICT COURT OF OKLAHOMA COUNTY, OKLAHOMA

STATE OF OKLAHOMA

Case No.

CJ-2018-5140

**FILED IN DISTRICT COURT
OKLAHOMA COUNTY**

SEP 19 2018

**RICK WARREN
COURT CLERK**

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KAREN NELSON; KATHERINE BURKHALTER;
KATHERINE E. RODERICK; KATHLEEN CARTER;
KATHY MIRES; KELLY DONNDELINGER, WILLIAM
DONNDELINGER; KELLYE JUDKINS; KENNETH
HARRISON, NATHAN POWELL; KENNETH JACK
DUNN, PEARLIE DUNN; KERVIN COLBERT; KIM
BENSON; KIM O' MALLEY, MICHAEL O' MALLEY;
KIMBERLY J. LUTHER; KIMBERLY SMART; KRISTA
ROBERTS; KURENIA BARNES, NATHAN BARNES;
LADONNA SEAY, MAURICE SEAY JR; LANCE
ROOMS, MARION ROOMS; LARRY D. MOORE,
MARTHA MOORE; LARRY R. EVANS SR., LINDA M.
BRUCE; LARRY STONE, MATTIE KAREN STONE;
LARRY SULLIVAN; LARRY V. SMITH; LATISHA K.
JAMES; LAWRENCE COLLINS; LAWRENCE
PASTERNAK, ROBYN PASTERNAK; LEATRICE
ANDREWS, MELVIN L. ANDREWS; LELAND POWELL;
LEON IRVING, LORETTA IRVING; LEONARD
PELFREY, TAMMY PELFREY; LEQUETTA BOWMAN,
MALIK SHAKUR; LEROY OLDENBURG; LESLIE D.
LAMBETH; LESLIE HARTING, LINDA HARTING;
LILAH N. ROCKSON; LINDA HEY; LINDA K. FOSTER,
WILLIAM W. FOSTER; LINDA LEWIS; LINDA MUSE;
LINDA ROYAL; LORENE ISAACS, SHERRI BLETHEN;
LORETHA SULLIVAN, ROBERT SULLIVAN; LORETTA
GUESS-WALKER; LORI BROWN, PETE BROWN; LORI
J. WILLIAMS; LUZ HERNANDEZ; LYNDELL
WALLACE, MARGIE WALLACE; LYNDON B DAVIS;
LYNN TIMMONS; LYNNE SANDERS (DIVELEY);
MALISSA J. LAYLAND, RAYMOND D. LAYLAND JR.;
MARCIA FENITY; MARGARET CALLIE GODWIN,
VERNON GODWIN; MARK COLE; MARLENE
JACKSON; MARQUITA GABRIEL, PATRICK GABRIEL;
MARSHA BEETS, SAMUEL BEETS; MARSHA
CUNNINGHAM; MARTHA BELLHRACH; MARVA L.
MADISON; MARY ELLEN CLARK; MARY L. MOORE;
MAUDIE MAE EMERSON; MESSIA OSBORN, SHIRLEY
NEAL; MICHAEL BELL; MICHAEL C CULPEPPER;
MICHAEL CASTEEL; MICHAEL HAMMONS; MICHAEL
WALLING, PAMELA BARTEN; MICHELL C. HARRIS,
PEGGY L. HARRIS; MICHELLE GARCIA and TONY
GARCIA,

Plaintiffs,

v.

BEREXCO LLC;
CHAPARRAL ENERGY LLC;
CHER OIL COMPANY, LTD;
CHESAPEAKE OPERATING, LLC;
CIMARRON RIVER OPERATING CORP.;
CIRCLE 9 RESOURCES, LLC;
CROWN ENERGY COMPANY;
EASTOK PIPELINE LLC;
EQUAL ENERGY US INC.;
FHA INVESTMENTS LLC;
INTERNATIONAL ENERGY CORPORATION;
KOBY OIL COMPANY LLC;
MARJO OPERATING MID-CONTINENT LLC;
MID-CON ENERGY OPERATING LLC;
MIDSTATES PETROLEUM COMPANY LLC;
MONTCLAIR ENERGY LLC;
OAKLAND PETROLEUM OPERATING COMPANY INC;
ORCA OPERATING COMPANY LLC;
PETCO PETROLEUM CORP;
PETRO WARRIOR LLC;
RANGE PRODUCTION COMPANY LLC;
SHIELDS OPERATING INC.;
SPECIAL ENERGY CORPORATION;
TARKA ENERGY LLC;
TERRITORY RESOURCES LLC;
WHITE STAR PETROLEUM LLC;
and DOES 1-25, Inclusive,

Defendants.

PETITION FOR DAMAGES

COME NOW Plaintiffs, KAREN NELSON; KATHERINE BURKHALTER;
KATHERINE E. RODERICK; KATHLEEN CARTER; KATHY MIRES; KELLY
DONNDELINGER, WILLIAM DONNDELINGER; KELLYE JUDKINS; KENNETH
HARRISON, NATHAN POWELL; KENNETH JACK DUNN, PEARLIE DUNN; KERVIN
COLBERT; KIM BENSON; KIM O' MALLEY, MICHAEL O' MALLEY; KIMBERLY J.

LUTHER; KIMBERLY SMART; KRISTA ROBERTS; KURENIA BARNES, NATHAN BARNES; LADONNA SEAY, MAURICE SEAY JR; LANCE ROOMS, MARION ROOMS; LARRY D. MOORE, MARTHA MOORE; LARRY R. EVANS SR., LINDA M. BRUCE; LARRY STONE, MATTIE KAREN STONE; LARRY SULLIVAN; LARRY V. SMITH; LATISHA K. JAMES; LAWRENCE COLLINS; LAWRENCE PASTERNAK, ROBYN PASTERNAK; LEATRICE ANDREWS, MELVIN L. ANDREWS; LELAND POWELL; LEON IRVING, LORETTA IRVING; LEONARD PELFREY, TAMMY PELFREY; LEQUETTA BOWMAN, MALIK SHAKUR; LEROY OLDENBURG; LESLIE D. LAMBETH; LESLIE HARTING, LINDA HARTING; LILAH N. ROCKSON; LINDA HEY; LINDA K. FOSTER, WILLIAM W. FOSTER; LINDA LEWIS; LINDA MUSE; LINDA ROYAL; LORENE ISAACS, SHERRI BLETHEN; LORETHA SULLIVAN, ROBERT SULLIVAN; LORETTA GUESS-WALKER; LORI BROWN, PETE BROWN; LORI J. WILLIAMS; LUZ HERNANDEZ; LYNDELL WALLACE, MARGIE WALLACE; LYNDON B DAVIS; LYNN TIMMONS; LYNNE SANDERS (DIVELEY); MALISSA J. LAYLAND, RAYMOND D. LAYLAND JR.; MARCIA FENITY; MARGARET CALLIE GODWIN, VERNON GODWIN; MARK COLE; MARLENE JACKSON; MARQUITA GABRIEL, PATRICK GABRIEL; MARSHA BEETS, SAMUEL BEETS; MARSHA CUNNINGHAM; MARTHA BELLAHRACH; MARVA L. MADISON; MARY ELLEN CLARK; MARY L. MOORE; MAUDIE MAE EMERSON; MESSIA OSBORN, SHIRLEY NEAL; MICHAEL BELL; MICHAEL C CULPEPPER; MICHAEL CASTEEL; MICHAEL HAMMONS; MICHAEL WALLING, PAMELA BARTEN; MICHELL C. HARRIS, PEGGY L. HARRIS; MICHELLE GARCIA and TONY GARCIA ("Plaintiffs"), property owners in Oklahoma, who state the following causes of action against Defendants, BEREXCO LLC; CHAPARRAL ENERGY

LLC; CHER OIL COMPANY, LTD; CHESAPEAKE OPERATING, LLC; CIMARRON RIVER OPERATING CORP.; CIRCLE 9 RESOURCES, LLC; CROWN ENERGY COMPANY; EASTOK PIPELINE LLC; EQUAL ENERGY US INC.; FHA INVESTMENTS LLC; INTERNATIONAL ENERGY CORPORATION; KOBY OIL COMPANY LLC; MARJO OPERATING MID-CONTINENT LLC; MID-CON ENERGY OPERATING LLC; MIDSTATES PETROLEUM COMPANY LLC; MONTCLAIR ENERGY LLC; OAKLAND PETROLEUM OPERATING COMPANY INC; ORCA OPERATING COMPANY LLC; PETCO PETROLEUM CORP; PETRO WARRIOR LLC; RANGE PRODUCTION COMPANY LLC; SHIELDS OPERATING INC.; SPECIAL ENERGY CORPORATION; TARKA ENERGY LLC; TERRITORY RESOURCES LLC; WHITE STAR PETROLEUM LLC; and DOES 1-25, Inclusive, ("Defendants"):

I. GENERAL NATURE OF ACTION

1. This is a lawsuit brought by Oklahoma residents who own, or at all relevant times herein, owned, real property in the State of Oklahoma, whose property suffered damages and losses from human-induced earthquakes caused by Defendants' operation of in wastewater disposal wells in and around the State of Oklahoma.

2. Plaintiffs seek damages, joint and severally from the Defendants, in the form of the following:

- (i) Physical damages to real and personal property;
- (ii) Market value losses to their real property;
- (iii) Emotional distress; and
- (iv) Punitive damages.

II. PARTIES

PLAINTIFFS

3. At all times herein relevant, Plaintiff Karen Nelson was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1208 SW 25th. Plaintiff Karen Nelson's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

4. At all times herein relevant, Plaintiff Katherine Burkhalter was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2900 NE 18th. Plaintiff Katherine Burkhalter's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

5. At all times herein relevant, Plaintiff Katherine E. Roderick was a property owner and resident of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 2205 Castle Rock. Plaintiff Katherine E. Roderick's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

6. At all times herein relevant, Plaintiff Kathleen Carter was a property owner and resident of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 2000 Pine Oak Drive. Plaintiff Kathleen Carter's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

7. At all times herein relevant, Plaintiff Kathy Mires was a property owner and resident of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 2321 Elwood Drive. Plaintiff Kathy Mires's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

8. At all times herein relevant, Plaintiff Kelly Donndelinger and Plaintiff William Donndelinger were property owners and residents of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 14712 SE 75th Street. Plaintiff Kelly Donndelinger and Plaintiff William Donndelinger's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

9. At all times herein relevant, Plaintiff Kellye Judkins was a property owner and resident of the City of Bethany, Oklahoma County, Oklahoma. Said property is located at 4605 N. Willow Avenue. Plaintiff Kellye Judkins's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

10. At all times herein relevant, Plaintiff Kenneth Harrison and Plaintiff Nathan Powell were property owners and residents of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 1733 Timber Wolf Trail. Plaintiff Kenneth Harrison and Plaintiff Nathan Powell's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

11. At all times herein relevant, Plaintiff Kenneth Jack Dunn and Plaintiff Pearlie Dunn were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 4212 N. Easy Street. Plaintiff Kenneth Jack Dunn and Plaintiff Pearlie Dunn's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

12. At all times herein relevant, Plaintiff Kervin Colbert was a property owner and resident of the City of Bethany, Oklahoma County, Oklahoma. Said property is located at 6809 NW 60th Street. Plaintiff Kervin Colbert's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

13. At all times herein relevant, Plaintiff Kim Benson was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1509 Northeast 25th. Plaintiff Kim Benson's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

14. At all times herein relevant, Plaintiff Kim O' Malley and Plaintiff Michael O' Malley were property owners and residents of the City of Del City, Oklahoma County, Oklahoma. Said property is located at 4633 SE 23rd Street. Plaintiff Kim O' Malley and Plaintiff Michael O' Malley's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

15. At all times herein relevant, Plaintiff Kimberly J. Luther was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 3008 North Eagle Lane. Plaintiff Kimberly J. Luther's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

16. At all times herein relevant, Plaintiff Kimberly Smart was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 11130 N Stratford Unit 331. Plaintiff Kimberly Smart's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

17. At all times herein relevant, Plaintiff Krista Roberts was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 5004 Northwest 19th Terrace. Plaintiff Krista Roberts's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

18. At all times herein relevant, Plaintiff Kurenia Barnes and Plaintiff Nathan Barnes were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma.

Said property is located at 5409 NW 111th Street. Plaintiff Kurenia Barnes and Plaintiff Nathan Barnes's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

19. At all times herein relevant, Plaintiff LaDonna Seay and Plaintiff Maurice Seay Jr were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1205 NE 36th Street. Plaintiff LaDonna Seay and Plaintiff Maurice Seay Jr's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

20. At all times herein relevant, Plaintiff Lance Rooms and Plaintiff Marion Rooms were property owners and residents of the City of Harrah, Oklahoma County, Oklahoma. Said property is located at 6320 Futurity Drive. Plaintiff Lance Rooms and Plaintiff Marion Rooms's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

21. At all times herein relevant, Plaintiff Larry D. Moore and Plaintiff Martha Moore were property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 4410 Woodland Drive. Plaintiff Larry D. Moore and Plaintiff Martha Moore's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

22. At all times herein relevant, Plaintiff Larry R. Evans Sr. and Plaintiff Linda M. Bruce were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1225 Northwest 83rd Street. Plaintiff Larry R. Evans Sr. and Plaintiff Linda M. Bruce's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

23. At all times herein relevant, Plaintiff Larry Stone and Plaintiff Mattie Karen Stone were property owners and residents of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 3405 Santa Fe Drive. Plaintiff Larry Stone and Plaintiff Mattie Karen Stone's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

24. At all times herein relevant, Plaintiff Larry Sullivan was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1236 SW 25. Plaintiff Larry Sullivan's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

25. At all times herein relevant, Plaintiff Larry V. Smith was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 10801 SE 3rd Street. Plaintiff Larry V. Smith's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

26. At all times herein relevant, Plaintiff Latisha K. James was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1104 NW 79th Street. Plaintiff Latisha K. James's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

27. At all times herein relevant, Plaintiff Lawrence Collins was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 12405 High Meadow Drive. Plaintiff Lawrence Collins's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

28. At all times herein relevant, Plaintiff Lawrence Pasternack and Plaintiff Robyn Pasternack were property owners and residents of the City of Edmond, Oklahoma County,

Oklahoma. Said property is located at 1517 Faircloud Court. Plaintiff Lawrence Pasternack and Plaintiff Robyn Pasternack's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

29. At all times herein relevant, Plaintiff Leatrice Andrews and Plaintiff Melvin L. Andrews were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 309 NE 61st Street. Plaintiff Leatrice Andrews and Plaintiff Melvin L. Andrews's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

30. At all times herein relevant, Plaintiff Leland Powell is a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 12500 Springwood Dr. Plaintiff Leland Powell's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

31. At all times herein relevant, Plaintiff Leon Irving and Plaintiff Loretta Irving were property owners and residents of the City of Luther, Oklahoma County, Oklahoma. Said property is located at 14601 Joseph Avenue.. Plaintiff Leon Irving and Plaintiff Loretta Irving's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

32. At all times herein relevant, Plaintiff Leonard Pelfrey and Plaintiff Tammy Pelfrey were property owners and residents of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 1305 Shelly Lane. Plaintiff Leonard Pelfrey and Plaintiff Tammy Pelfrey's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

33. At all times herein relevant, Plaintiff Lequetta Bowman and Plaintiff Malik Shakur were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1100 Northeast 16th. Plaintiff Lequetta Bowman and Plaintiff Malik Shakur's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

34. At all times herein relevant, Plaintiff Leroy Oldenburg was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1974 Townsend Court. Plaintiff Leroy Oldenburg's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

35. At all times herein relevant, Plaintiff Leslie D. Lambeth was a property owner and resident of the City of Jones, Oklahoma County, Oklahoma. Said property is located at 13700 North Anderson Road. Plaintiff Leslie D. Lambeth's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

36. At all times herein relevant, Plaintiff Leslie Harting and Plaintiff Linda Harting were property owners and residents of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 14782 NE 63rd Street. Plaintiff Leslie Harting and Plaintiff Linda Harting's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

37. At all times herein relevant, Plaintiff Lilah N. Rockson was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 6421 Westlane. Plaintiff Lilah N. Rockson's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

38. At all times herein relevant, Plaintiff Linda Hey was a property owner and resident of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 2541 Victoria Drive. Plaintiff Linda Hey's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

39 At all times herein relevant, Plaintiff Linda K. Foster and Plaintiff William W. Foster were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 8219 NW 87th Street. Plaintiff Linda K. Foster and Plaintiff William W. Foster's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

40. At all times herein relevant, Plaintiff Linda Lewis was a property owner and resident of the City of Del City, Oklahoma County, Oklahoma. Said property is located at 3125 Del Rancho Drive. Plaintiff Linda Lewis's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

41. At all times herein relevant, Plaintiff Linda Muse was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 720 Northeast Katherine Place. Plaintiff Linda Muse's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

42. At all times herein relevant, Plaintiff Linda Royal was a property owner and resident of the City of Del City, Oklahoma County, Oklahoma. Said properties are located at 3405 Simmons Drive, 1621 NE 14th and 1452 E. Park Place. Plaintiff Linda Royal's properties suffered damage due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

43. At all times herein relevant, Plaintiff Lorene Isaacs and Plaintiff Sherri Blethen were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1613 Southwest 66th. Plaintiff Lorene Isaacs and Plaintiff Sherri Blethen's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

44. At all times herein relevant, Plaintiff Loretha Sullivan and Plaintiff Robert Sullivan were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2513 Northwest 115th Street. Plaintiff Loretha Sullivan and Plaintiff Robert Sullivan's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

45. At all times herein relevant, Plaintiff Loretta Guess-Walker was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 5005 S Dimple Drive. Plaintiff Loretta Guess-Walker's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

46. At all times herein relevant, Plaintiff Lori Brown and Plaintiff Pete Brown were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2201 Southwest 61st Terrace. Plaintiff Lori Brown and Plaintiff Pete Brown's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

47. At all times herein relevant, Plaintiff Lori J. Williams was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1304 Northeast 44th. Plaintiff Lori J. Williams's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

48. At all times herein relevant, Plaintiff Luz Hernandez was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 12712 Nittany Drive. Plaintiff Luz Hernandez's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

49. At all times herein relevant, Plaintiff Lyndell Wallace and Plaintiff Margie Wallace were property owners and residents of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 5543 North Choctaw Road. Plaintiff Lyndell Wallace and Plaintiff Margie Wallace's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

50. At all times herein relevant, Plaintiff Lyndon B Davis is a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1900 NE 30th St. Plaintiff Lyndon B Davis's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

51. At all times herein relevant, Plaintiff Lynn Timmons was a property owner and resident of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 6008 LaQuinta Circle. Plaintiff Lynn Timmons's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

52. At all times herein relevant, Plaintiff Lynne Sanders Diveley was a property owner and resident of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 15191 East Reno. Plaintiff Lynne Sanders (Diveley)'s property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

53. At all times herein relevant, Plaintiff Malissa J. Layland and Plaintiff Raymond D. Layland Jr. were property owners and residents of the City of Harrah, Oklahoma County,

Oklahoma. Said property is located at 6025 North Harrah Road. Plaintiff Malissa J. Layland and Plaintiff Raymond D. Layland Jr.'s property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

54. At all times herein relevant, Plaintiff Marcia Fenity was a property owner and resident of the City of Warr Acres, Oklahoma County, Oklahoma. Said property is located at 5601 Northwest 59th Street. Plaintiff Marcia Fenity's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

55. At all times herein relevant, Plaintiff Margaret Callie Godwin and Plaintiff Vernon Godwin were property owners and residents of the City of Choctaw, Oklahoma County, Oklahoma. Said property is located at 4358 N Vargas Road. Plaintiff Margaret Callie Godwin and Plaintiff Vernon Godwin's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

56. At all times herein relevant, Plaintiff Mark Cole was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2038 NW 18th Street. Plaintiff Mark Cole's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

57. At all times herein relevant, Plaintiff Marlene Jackson was a property owner and resident of the City of Spencer, Oklahoma County, Oklahoma. Said property is located at 10112 Spencer Road. Plaintiff Marlene Jackson's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

58. At all times herein relevant, Plaintiff Marquita Gabriel and Plaintiff Patrick Gabriel were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 10909 N Brauer Avenue. Plaintiff Marquita Gabriel and

Plaintiff Patrick Gabriel's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

59. At all times herein relevant, Plaintiff Marsha Beets and Plaintiff Samuel Beets were property owners and residents of the City of Luther, Oklahoma County, Oklahoma. Said property is located at 970305 South Todd Drive. Plaintiff Marsha Beets and Plaintiff Samuel Beets's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

60. At all times herein relevant, Plaintiff Marsha Cunningham was a property owner and resident of the City of Luther, Oklahoma County, Oklahoma. Said property is located at 15951 NE 209th Street. Plaintiff Marsha Cunningham's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

61. At all times herein relevant, Plaintiff Martha Bellahrach was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1204 Cathy Lane. Plaintiff Martha Bellahrach's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

62. At all times herein relevant, Plaintiff Marva L. Madison was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 6908 Elk Canyon Road. Plaintiff Marva L. Madison's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

63. At all times herein relevant, Plaintiff Mary Ellen Clark was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2841 SW 80 Street. Plaintiff Mary Ellen Clark's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

64. At all times herein relevant, Plaintiff Mary L. Moore was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1033 Southwest 33. Plaintiff Mary L. Moore's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

65. At all times herein relevant, Plaintiff Maudie Mae Emerson was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 3401 S Shields Boulevard. Plaintiff Maudie Mae Emerson's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

66. At all times herein relevant, Plaintiff Messia Osborn and Plaintiff Shirley Neal were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 11711 Smoking Oaks Drive. Plaintiff Messia Osborn and Plaintiff Shirley Neal's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

67. At all times herein relevant, Plaintiff Michael Bell was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 10712 Dorothy Drive. Plaintiff Michael Bell's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

68. At all times herein relevant, Plaintiff Michael C Culpepper was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 2704 Tottingham Road. Plaintiff Michael C Culpepper's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

69. At all times herein relevant, Plaintiff Michael Casteel was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at

1329 Northeast 52nd Street. Plaintiff Michael Casteel's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

70. At all times herein relevant, Plaintiff Michael Hammons was a property owner and resident of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 1505 Northeast 14th. Plaintiff Michael Hammons's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

71. At all times herein relevant, Plaintiff Michael Walling and Plaintiff Pamela Barten were property owners and residents of the City of Oklahoma City, Oklahoma County, Oklahoma. Said property is located at 3008 Drakestone Avenue. Plaintiff Michael Walling and Plaintiff Pamela Barten's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

72. At all times herein relevant, Plaintiff Michell C. Harris and Plaintiff Peggy L. Harris were property owners and residents of the City of Edmond, Oklahoma County, Oklahoma. Said property is located at 1708 Leawood Drive. Plaintiff Michell C. Harris and Plaintiff Peggy L. Harris's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

73. At all times herein relevant, Plaintiff Michelle Garcia and Plaintiff Tony Garcia were property owners and residents of the City of Jones, Oklahoma County, Oklahoma. Said property is located at 110 SW 4th Street. Plaintiff Michelle Garcia and Plaintiff Tony Garcia's property suffered damages due to earthquakes caused by the Defendants' negligent wastewater disposal operations.

DEFENDANTS

74. Defendant Berexco LLC ("Berexco") is a Kansas limited liability company which maintains its principal place of business in Wichita, Kansas, with a registered agent for service of process in the State of Oklahoma, namely: Peter Wilson, 2601 N.W. Expressway, Suite 1100E, Oklahoma City, Oklahoma 73112. At all times pertinent, Berexco owned or operated one or more disposal wells located in the State of Oklahoma, including Creek County, which caused or contributed to the earthquakes described in this Petition. Berexco is responsible for wastewater disposal injections within less than or around 15 miles of the earthquake epicenters described in this Petition.

75. Chaparral Energy LLC ("Chaparral") is a Texas limited liability company which maintains its principal place of business in Texas, with a registered agent for service of process in the State of Oklahoma, namely: Corporation Service Company, 10300 Greenbriar Place, Oklahoma city, Oklahoma 73159-7653. At all times pertinent, Chaparral owned or operated one or more disposal wells located in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Chaparral is responsible for wastewater disposal injections less than 20 miles of the earthquake epicenters described in this Petition.

76. Defendant Cher Oil Company Limited ("Cher Oil") is an Oklahoma corporation which maintains its principal place of business in Ripley, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Richard O. Nossaman, 7317 South Ripley Road, Ripley, Oklahoma 74062. At all times pertinent, Cher Oil owned or operated one or more disposal wells located in the State of Oklahoma, including Payne County, which caused or contributed to the earthquakes described in this Petition. Cher Oil is responsible for at least 2%

of the wastewater disposal injections within approximately 6 miles of the earthquake epicenters described in this Petition.

77. Defendant Chesapeake Operating, LLC ("Chesapeake") is a corporation existing and operating under the laws of the State of Oklahoma which maintains its principal place of business in Oklahoma with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Chesapeake owned or operated one or more disposal wells located in the State of Oklahoma, including Payne County and Noble County, which caused or contributed to the earthquakes described in this Petition. Chesapeake is responsible for wastewater disposal injections under and around 30 miles of the earthquake epicenters described in this Petition.

78. Defendant Cimarron River Operating Corporation ("Cimarron") is an Oklahoma corporation which maintains its principal place of business in Mannford, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Harold E. Colpitt, Jr., 101 South A Street, Oilton, Oklahoma 74052. At all times pertinent, Cimarron owned or operated one or more disposal wells located in the State of Oklahoma, including Creek County, which caused or contributed to the earthquakes described in this Petition. Cimarron is responsible for the wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

79. Defendant Circle 9 Resources LLC ("Circle 9") is an Oklahoma limited liability company which maintains its principal place of business in Oklahoma City, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Jay Whipple, 2308 N.W. 54th Street, Oklahoma City, Oklahoma 73112. At all times pertinent, Circle 9 owned or operated one or more disposal wells located in the State of Oklahoma, including Payne County,

which caused or contributed to the earthquakes described in this Petition. Circle 9 is responsible for the wastewater disposal injections within approximately 6 miles of the earthquake epicenters described in this Petition.

80. Defendant Crown Energy Company ("Crown Energy") is an Oklahoma corporation which maintains its principal place of business in Oklahoma City, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Randall D. Holleyman, 1117 N.W. 24th Street, Oklahoma City, Oklahoma 73106. At all times pertinent, Crown Energy owned or operated one or more disposal wells located in the State of Oklahoma, including Payne county, which caused or contributed to the earthquakes described in this Petition. Crown Energy is responsible for about 6% of the wastewater disposal injections within approximately 6 miles of the earthquake epicenters described in this Petition.

81. Defendant Eastok Pipeline LLC ("Eastok Pipeline") is an Oklahoma limited liability company which maintains its principal place of business in Tulsa, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 S. Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Eastok Pipeline owned or operated one or more disposal wells located in the State of Oklahoma, including Noble County, Pawnee County, and Payne County, Oklahoma which caused or contributed to the earthquakes described in this Petition. Eastok Pipeline is responsible for wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

82. Defendant Equal Energy US Inc. ("Equal Energy") is an Oklahoma corporation which maintains its principal place of business in Tulsa, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 S.

Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Equal Energy owned or operated one or more disposal wells in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Equal Energy is responsible for wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

83. Defendant FHA Investments LLC ("FHA Investments") is an Oklahoma limited liability company which maintains its principal place of business in Cushing, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Ahrberg Milling of Cushing Incorporated, 200 S. Depot Avenue, Cushing, Oklahoma 74023. At all times pertinent, FHA Investments owned or operated one or more disposal wells in the State of Oklahoma, including Payne County, which caused or contributed to the earthquakes described in this Petition. FHA is responsible for about 7% of the wastewater disposal injections within approximately 6 miles of the earthquake epicenters described in this petition.

84. Defendant International Energy Corporation ("International Energy") is an Oklahoma corporation which maintains its principal place of business in Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: International Energy Corporation, 1801 East 71st St., Tulsa, Oklahoma 74136. At all times pertinent, International Energy owned or operated one or more disposal wells in the State of Oklahoma, including Creek County, which caused or contributed to the earthquakes described in this Petition. International Energy is responsible for wastewater disposal injections within approximately 30 miles of the earthquake epicenters in this Petition.

85. Defendant Koby Oil Company LLC ("Koby Oil") is an Oklahoma limited liability company which maintains its principal place of business in Oklahoma, with a registered agent

for service of process in the State of Oklahoma, namely: Larry Hays, 5319 West 19th Avenue, Stillwater, Oklahoma 74074. At all times pertinent, Koby Oil owned or operated one or more disposal wells in the State of Oklahoma, including Creek County and Noble County, which caused or contributed to the earthquakes described in this Petition. Koby Oil is responsible for wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

86. Defendant Marjo Operating Mid-Continent LLC ("Marjo") is an Oklahoma limited liability company which maintains its principal place of business in Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: W. Deke Canada, 320 South Boston Avenue, Suite 200, Tulsa, Oklahoma 74103. At all times pertinent, Marjo owned or operated one or more disposal wells in the State of Oklahoma, including the County of Payne, Lincoln, Logan, and Noble, which caused or contributed to the earthquakes described in this Petition. Marjo is responsible for wastewater disposal injections within approximately 30 miles of the earthquake epicenters described in this Petition.

87. Defendant Mid-Con Energy Operating LLC ("Mid-Con") is an Oklahoma limited liability company which maintains its principal place of business in Tulsa, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Charles L. McLawhorn, III., 2341 East 61st Street, Suite 850, Tulsa, Oklahoma 74136. At all times pertinent, Mid-Con owned or operated one or more disposal wells in the State of Oklahoma, including Creek County, which caused or contributed to the induced earthquakes described in this Petition. Mid-Con is responsible for the wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

88. Defendant Midstates Petroleum Company LLC ("Midstates") is a foreign limited liability company organized under the state laws of Delaware with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 South Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Midstates owned or operated one or more disposal wells in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Midstates is responsible for the wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

89. Defendant Montclair Energy LLC ("Montclair") is a foreign limited liability company organized under the state laws of Alabama with a registered agent for service of process in the State of Oklahoma, namely: Jeanine Greene, 1800 Canyon Park Circle, No. 405, Edmond, Oklahoma 73013. At all times pertinent, Montclair owned or operated one or more disposal wells in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Montclair is responsible for the wastewater disposal injections within approximately 30 miles of the earthquake epicenters described in this Petition.

90. Defendant Oakland Petroleum Operating Company Incorporated ("Oakland Petroleum") is an Oklahoma corporation which maintains its principal place of business in Tulsa, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Richard L. Harris, 1800 South Baltimore, Suite 900, Tulsa, Oklahoma 74104. At all times pertinent, Oakland Petroleum owned or operated one or more disposal wells in the State of Oklahoma, including Creek County, which caused or contributed to the earthquakes described in

this Petition. Oakland Petroleum is responsible for the wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

91. Defendant Orca Operating Company LLC ("Orca") is an Oklahoma corporation which maintains its principal place of business in Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Orca Resources, LLC, 427 S. Boston Avenue, Suite 929, Tulsa, Oklahoma 74114. At all times pertinent, Orca owned or operated one or more disposal wells in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Orca is responsible for the wastewater disposal injections within approximately 20 miles of the earthquake epicenters described in this Petition.

92. Defendant Petco Petroleum Corporation ("Petco") is an Illinois corporation with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 South Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Petco owned or operated one or more disposal wells in the State of Oklahoma, including Creek County, which caused or contributed to the earthquakes described in this Petition. Petco is responsible for the wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

93. Defendant Petro Warrior LLC ("Petro Warrior") is an Oklahoma limited liability company which maintains its principal place of business in Stillwater, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Gary B. Larue, 4599 North Washington, Apt. 371, Stillwater, Oklahoma 74075. At all times pertinent, Petro Warrior owned or operated one or more disposal wells in the State of Oklahoma, including Lincoln County, which caused or contributed to the earthquakes described in this Petition. Petro Warrior

is responsible for about 3% of the wastewater disposal injections within approximately 10 miles of the earthquake epicenters described in this Petition.

94. Defendant Range Production Company LLC ("Range Production") is a Delaware corporation with a registered agent for service of process in the State of Oklahoma, namely: Corporation Service company, 10300 Greenbriar Place, Oklahoma City, Oklahoma 73159-7653. At all times pertinent, Range Production owned or operated one or more disposal wells in the State of Oklahoma, including Noble County, which caused or contributed to the earthquakes described in this Petition. Range Production is responsible for the wastewater disposal injections within approximately 20 miles of the earthquake epicenters described in this Petition.

95. Defendant Special Energy Corporation ("Special Energy") is a Texas corporation, with a registered agent for service of process in the State of Oklahoma, namely: John F. Special, 4815 South Perkins Road, Stillwater, Oklahoma 74074. At all times pertinent, Special Energy owned or operated one or more disposal wells in the State of Oklahoma, including Payne, Pawnee, Logan, and Lincoln Counties, which caused or contributed to the earthquakes described in this Petition. Special Energy is responsible for the wastewater disposal injections within approximately 20 miles of the earthquake epicenters described in this Petition.

96. Defendant Shields Operating Incorporated ("Shields") is an Arkansas corporation which maintains its principal place of business in Fort Smith, Arkansas, with a registered agent for service of process in the State of Oklahoma, namely: John F. Shields, 1600 East 19th street, Suite 103, Edmond, Oklahoma 73013. At all times pertinent, Shields owned or operated one or more disposal wells in the State of Oklahoma, including Payne County, which caused or contributed to the earthquakes described in this Petition. Shields is responsible for the

wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

97. Defendant Tarka Energy LLC ("Tarka Energy") is a Delaware limited liability company which maintains its principal place of business in 5, Rosier, 19N, Range 6 of the East Meridian, Payne County, Oklahoma with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 South Morgan Road, Oklahoma City, Oklahoma 73128. At all times pertinent, Tarka Energy owned or operated one or more disposal wells in the State of Oklahoma, including Pawnee County, which caused or contributed to the earthquakes described in this Petition. Tarka Energy is responsible for wastewater disposal injections within approximately 15 miles of the earthquake epicenters described in this Petition.

98. Defendant Territory Resources LLC ("Territory Resources") is an Oklahoma limited liability company which maintains its principal place of business in Tulsa, Oklahoma, with a registered agent for service of process in the State of Oklahoma, namely: Crowe & Dunlevy, A Professional Corporation, Attention: James H. Holloman, Jr., 324 North Robinson Avenue, Suite 100, Oklahoma City, Oklahoma 73102. At all times pertinent, Territory Resources owned or operated one or more disposal wells in the State of Oklahoma, including Noble County, which caused or contributed to the earthquakes described in this Petition. Territory Resources is responsible for wastewater disposal injections within approximately 25 miles of the earthquake epicenters described in this petition.

99. Defendant White Star Petroleum LLC ("White Star") is an Oklahoma limited liability company which maintains its principal place of business at 30 Northwest 63rd Street, Oklahoma City, Oklahoma 73118 with a registered agent for service of process in the State of Oklahoma, namely: The Corporation Company, 1833 South Morgan Road, Oklahoma City,

Oklahoma 73128. At all times pertinent, White Star owned or operated one or more disposal wells in the State of Oklahoma, including Payne County, which caused or contributed to the earthquakes described in this Petition. White Star is responsible for about 82% of the wastewater disposal injections within approximately 6 miles of the earthquake epicenters described in this Petition.

100. John Does 1 – 25 are other Oklahoma oil and gas companies that have engaged in injection well operations in and around Payne County, Oklahoma, which have also contributed to the earthquakes and resulting damages to Plaintiffs.

III. JURISDICTION AND VENUE

101. Jurisdiction in this Court is proper. This Court has personal jurisdiction over the Defendants as they do substantial business in the State of Oklahoma and operate wastewater disposal wells in or around this judicial district.

102. Venue is proper in this Court as a substantial part of the events or omissions giving rise to the claims set forth in this Petition occurred here.

103. Venue is proper in this Court as the Oklahoma Corporation Commission (“OCC”) does not have jurisdiction over the property damage claims asserted in this Petition. *Ladra v. New Dominion, et al.*, 2015 OK 53, 353 P.3d 529 (2015).

IV. FACTUAL ALLEGATIONS

104. In recent years, thousands of earthquakes have occurred in Oklahoma, including in and around Oklahoma County.

105. In fact, Oklahoma is now one of the most seismically active state in the continental United States.

106. Since at least 2013, independent scientists, as well as members of the United States Geological Survey, the Oklahoma Geological Survey, and the Oklahoma Corporation Commission, have identified as the direct cause of the increased number, frequency, and severity of Oklahoma's earthquakes to the injection/disposal of contaminants, hazardous fluids produced from oil and gas production, into wastewater disposal wells located in the Arbuckle or lower units. This process causes earthquakes; and, indeed, has caused most of the earthquakes shaking Oklahoma since at least 2011, including earthquakes with epicenters near and around Oklahoma County.

107. In fact, the number of earthquakes in Oklahoma has increased more than 300 fold, from a maximum of 167 before 2009 to 5,838 in 2015.

108. As the number of earthquakes has increased, so has their severity. For example, prior to 2008, Oklahoma experienced an earthquake of magnitude 3.5 or greater about once every 20 years. In 2015 alone, Oklahoma experienced over 220 earthquakes of magnitude 3.5 or greater.

109. Although alternative methods for the disposing of contaminants and hazardous fluids produced from oil and gas production exist, Defendants continue to dispose/inject said fluids into wastewater disposal wells for their own pecuniary benefit. This is still done by defendants even though it is well known that there are injection zones available in Oklahoma that do not cause earthquakes as a result of fluids disposal and injection.

110. These waste-induced earthquakes have toppled historic towers, caused parts of houses to fall and injure people, cracked basements, and shattered nerves, as people fear there could be worse to come.

111. On March 28, 2016, and revised on June 17, 2016, the United States Geological Survey ("USGS") published a study quantifying these risks. It found that the earthquake risks in Oklahoma have risen rapidly as a result of deep disposal of production wastes. Oklahoma earthquake risks are now the highest in the nation. Maps included in the report show a broad swathe of the State of Oklahoma has a 5 to 12% likelihood of a highly damaging earthquake in the next year. Petersen, M.D., Mueller, C.S., Moschetti, M.P., Hoover, S.M., Llenos, A.L., Ellsworth, W.L., Michael, A.J., Rubenstein, J.L., McGarr, A.F., and Rukstales, K.S., 2016, 2016 One-Year Seismic Hazard Forecast for the Central and Eastern United States from Induced and Natural Earthquakes: U.S. Geological Survey Open-File Report, 2016-1031,52.

112. On September 1, 2016, these scientists' prediction, that a more damaging earthquake to Oklahoma was coming, proved to be true.

113. On that day, a magnitude 5.8 earthquake shattered Pawnee, Oklahoma. The earthquake's epicenter was located three (3) kilometers west of Cushing, Oklahoma, causing damage to Plaintiffs.

114. This was the largest earthquake that had ever hit Oklahoma.

115. All segments of Oklahoma's government, from the Governor to the Director of OGS, agree that Pawnee's 5.8 magnitude earthquake was induced by Defendants' wastewater disposal operations near and around the epicenter of said earthquake.

116. The 5.8 magnitude earthquake near Pawnee on September 3, 2016, was not a naturally occurring earthquake, or an act of God.

117. Then on November 6, 2016, and as predicted by scientists, a magnitude 5.0 earthquake struck near Cushing, Oklahoma.

118. This earthquake, like so many others, was man made and caused by wastewater injection into disposal wells. Further, all segments of Oklahoma's government agree that this seismicity was caused by Defendants' wastewater disposal operations near and around the epicenter of said earthquakes.

119. As a direct and proximate cause of Defendants' conduct, Plaintiffs' personal and real property suffered greatly. As mentioned *supra* All Plaintiffs' damages to the real and personal property were due to the earthquakes caused by Defendants' wastewater disposal operations.

V. CAUSES OF ACTION

COUNT ONE – ABSOLUTE LIABILITY

120. Plaintiffs hereby re-allege and incorporate the foregoing paragraphs as if fully set forth herein.

121. As described herein this Petition, Defendants' actions are ultrahazardous activities that necessarily involve a risk of serious harm to a person that cannot be eliminated by the exercise of the utmost care and is not a matter of common usage.

122. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiffs have suffered damages to their personal and real property, to which Defendants are strictly liable.

123. As a direct and proximate result of Defendants' ultrahazardous activities, Plaintiffs have suffered damages to their property in the form of:

- i. Damage to and loss of property, including damage to land, home, and personal property;
- ii. Damage and interference with use and enjoyment of property;

- iii. Diminution and loss of market value;
- iv. Economic expenses incurred to protect against earthquakes in the future, including additional structural support and repairs to real property, and premiums for earthquake insurance and related appraisals; and
- v. Emotional damages.

COUNT TWO – NEGLIGENCE

124. Plaintiffs hereby re-allege and incorporate the foregoing paragraphs, as if fully set forth herein.

125. Plaintiffs have a right to use their property free from disturbance or diminution of value.

126. Defendants are sophisticated business entities with specialized knowledge in oil and gas operations and wastewater disposal practices.

127. Defendants owed a duty to Plaintiffs to use ordinary care not to operate or maintain their injection wells in such a way to cause or contribute to seismic activity. Defendants, experienced in these operations, knew or should have known of the connection between wastewater disposal/injection wells and seismic activity, and acted in disregard of these facts.

128. Defendants breached their duty to Plaintiffs and the putative Class to use ordinary care and not to operate or maintain their injection wells in such a way to cause or contribute to an increase in seismic activity.

129. As a direct result of these actions, breach, and fault of the Defendants, Plaintiffs and their property have suffered injuries that were foreseeable to the Defendants.

130. Damages suffered by the Plaintiffs due to the operations, acts and/or omissions of Defendants include:

- i. Damages to and loss of property, including damage to land, home, and personal property;
- ii. Damage and interference with use and enjoyment of property;
- iii. Diminution and loss of market value; and
- iv. Emotional damages.

COUNT THREE – GROSS NEGLIGENCE

131. Plaintiffs hereby re-allege and incorporate the foregoing Paragraphs, as if fully set forth herein.

132. As alleged herein this Petition, Defendants knew or should have known of the connection between the disposal of wastewater via disposal/injection wells and a subsequent increase in earthquakes.

133. Defendants' operations constitute a pattern of negligence that caused the harm to Plaintiffs.

134. As described above, Defendants' operations, acts, and/or omissions indicate a conscious and intentional indifference for the consequence of their acts and/or a reckless disregard for the safety of others.

135. Defendants, sophisticated business entities with decades of experience in oil and gas operations, exhibited a want of slight care and diligence in their operations, acts and/or omissions by the continued disposal of wastewater via wastewater injection wells.

136. Damages suffered by the Plaintiffs due to the operations, acts, and/or omissions of Defendants include:

- i. Damage to and loss of property, including damage to land, home, and personal property;
- ii. Damage and interference with use and enjoyment of property;
- iii. Diminution and loss of market value; and
- iv. Emotional damages.

COUNT FOUR – PRIVATE NUISANCE

137. Plaintiffs hereby re-allege and incorporate the foregoing Paragraphs as if fully set forth herein.

138. Plaintiffs possess property rights to their land, homes and businesses.

139. Defendants by their continuous acts, conduct, and/or omissions as alleged herein this Petition, have unlawfully and unreasonably interfered with those rights, privileges, and Plaintiffs' use and enjoyment of their property.

140. As a result, Plaintiffs have suffered damages to their property, home, and businesses because of Defendants' creation of a nuisance, including:

- i. Damage to and loss of property including damage to land, home, personal property, and businesses;
- ii. Damage and interference with use and enjoyment of property;
- iii. Diminution and loss of market value; and
- iv. Emotional damages.

COUNT FIVE – PUBLIC NUISANCE

141. Plaintiffs hereby re-allege and incorporate the foregoing Paragraphs as if fully set forth herein.

142. Plaintiffs have suffered damages and injuries due to earthquakes in and around Oklahoma County and Plaintiffs' property.

143. As set forth fully above, Defendants' actions and operations have created earthquakes which caused ground shaking on Plaintiffs' property of sufficient magnitude to cause damage.

144. As property owners that have rights to the use and enjoyment of their property, Plaintiffs have suffered damages that are different from that of non-property owners.

145. A public nuisance is one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal.

146. In this case, Plaintiffs have suffered from the public nuisance, the earthquakes, and has standing to bring an action for public nuisance, as Plaintiffs have suffered damages that are greater and different in kind than persons that do not own property.

- i. Damages suffered by the Plaintiffs include:
- ii. Damage to and loss of property, including damage to land, home, personal property, and businesses;
- iii. Damage and interference with use and enjoyment of property;
- iv. Diminution and loss of market value; and
- v. Emotional damages.

COUNT SIX – TRESPASS

147. Plaintiffs re-allege and incorporate the foregoing Paragraphs as if set forth herein.

148. Plaintiffs are and have been lawfully entitled to possession of their property.

149. Defendants, without the permission or consent of Plaintiffs and without legal right, intentionally engaged in activities that resulted in concussions or vibrations entering Plaintiffs' property. Such unauthorized invasion of Plaintiffs' property constitutes a trespass.

150. Because of the trespasses by Defendants, Plaintiffs have suffered damages, including:

- i. Damage to and loss of property, including damage to land, homes, personal property, and businesses.
- ii. Damage and interference with use and enjoyment of property;
- iii. Diminution and loss of market and value; and
- iv. Emotional damages.

VI. PUNITIVE DAMAGES

151. The Defendants' actions, in knowingly causing seismic activity as a result of their wastewater injection well operations, constitute intentional, wanton or reckless disregard for public or private safety, and are thus subject to a claim for punitive damages, for which Plaintiffs and the Class seek in an amount sufficient to punish the Defendants and to deter them from such conduct in the future.

VII. DEMAND FOR A JURY TRIAL

152. Plaintiffs respectfully request a jury trial.

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully pray:

- a. For a judgment awarding Plaintiffs judgment;
- b. Damages for Plaintiffs' claims in an amount in excess of \$75,000.00;

- c. Punitive Damages;
- d. Awarding attorneys' fees, expenses, and costs;
- e. Pre and post judgment interest; and
- f. For all relief to which Plaintiffs may be entitled to and which the Court deems proper.

RESPECTFULLY SUBMITTED this 19th day of September, 2018.



Daniel P. Markoff, OBA #14886
Jeffrey R. Atkins, OBA #15076
Bria Hanlon, OBA #32412
ATKINS AND MARKOFF
9211 Lake Hefner Parkway, Suite 104
Oklahoma City, OK. 73120
Tel: 405-607-8757
Fax: 405-607-8749
dmarkoff@atkinsandmarkoff.com
jatkins@atkinsandmarkoff.com
bhanlon@atkinsandmarkoff.com

Richard N. Laminack
Thomas W. Pirtle
Buffy K. Martines
Russ Brudner
LAMINACK, PIRTLE & MARTINES, LLP
5020 Montrose Boulevard, 9th Floor
Houston, Texas 77006
Tel: 713-292-2750
Fax: 713-292-2755
rickl@lpm-triallaw.com
tomp@lpm-triallaw.com
buffym@lpm-triallaw.com
russb@lpm-triallaw.com

JURY TRIAL DEMANDED

ATTORNEYS FOR PLAINTIFF